

My issues with the LPFM rules are threefold:

- 1) The points system and the tiebreakers make it highly unlikely that we would be chosen in the situation of mutually exclusive applicants. There are two frequencies available for LPFM on our campus, one clearly preferable to the other based on coverage and interference. We have the capability, constituency (40,000+ students) and resources to broadcast 24 hours per day/7 days per week. Sharing is not an option for us.
- 2) Ownership rules make it difficult for us to have the oversight, continuity, and institutional support we need. To be insured, have the legal advice we need, and co-curricular status on campus, the Board of Regents of UW-System must hold the license; the University must have some control in case of gross FCC violations, as well as enforcing federal, state, and local laws that students may or may not be inclined to break if left to their own devices.
- 3) The secondary service status means we cannot be sure that in three years, five years, ten years or whatever, some other rule change allows a new full service station to come on to a nearby frequency and blow us off the airwaves. Without that assurance, how can we justify spending student dollars (or anyone's dollars) on building up a station, a tradition, an organization? A student-run station is - in some ways - a belief system, a set of ideas and practices that serve as a core base for some students during their college careers. It cannot be built on sand

These are my concerns -- many college students have worked very hard for the LPFM option in the face of strong opposition. Most of us are being left out of the process, which is unfair. The fact that the Board of Regents hold licenses for other campus stations (there are 26 campuses in the UW-System) and for NPR affiliates should not make us less qualified than other applicants.

Please consider Commissioner Kennard's past comments

" I have been a fan of radio for as long as I can remember. In college, I worked at the college radio station. Every college with a radio station has a group of students who spend more time at the radio station than in class or in the library. I was one of those students. And the reason I have this job today is because of my early fascination with broadcasting and broadcast policy during my college years." (Remarks by William E. Kennard, Chairman Federal Communications Commission to NAB Radio Convention in Seattle, Washington October 16, 1998)

"(T)he FCC has a duty to ensure that licensees of the public airwaves serve their local communities. In the last few months, I've heard from thousands of people who want to use the airwaves to speak to their communities -- churches, community groups, elementary schools, colleges, and minority groups. In the Commission's proposal for a low power radio service, these people see the opportunity to have their voices carry through their communities. To have their voices heard". (Statement of FCC Chairman William E. Kennard at Roundtable Discussion on Low Power FM, 5/13/99)

On January 26, 1999 the Low Power Radio Coalition, of which I am an advisory board member, wrote the Chairman urging adoption of Low Power Radio. Specifically, in this letter we stated:

"Throughout the country radio thrives in secondary and higher education, both as an educational tool and a hub for local communities. Many schools and universities, however, either do not have stations or are limited to operating cable, carrier current or day-time only stations due to lack of available FM spectrum and the costs associated with maintaining a full-power signal. Low Power FM radio stations will create new opportunities for schools to make use of the FM band.

Currently, over 140 colleges and universities operate carrier current, cable or day-time only radio stations, in part because of lack of available FM spectrum and the associated costs of broadcasting under current regulations. Low Power FM will be a way for these stations to expand their reach to students living off-campus, neighboring families, alumni and other interested neighbors. Other colleges and high schools can explore starting up new stations that target the local geographic community. College and high school radio already provides tremendous service to many communities; Low Power FM will both create new spectrum availability, lower the cost of building and managing a station and, hopefully, streamline the application and regulatory process so other students and communities can benefit."

Ohio State, Bradley, the University of Wisconsin-Madison and other colleges and universities are being shut out by the new rules. According to Meg Miller of Dow Lohnes Albertson her discussion with FCC staff was less than sympathetic to our plight, "The FCC staffer also stated, however, that the objective of LPFM was to give a voice to those who didn't have any. In his view, universities/colleges with public radio stations already have a "voice" in the community. Thus, LPFM was really intended for the "disenfranchised."

We ARE part of the disenfranchised. Getting coffee and being an assistant at the local NPR affiliate is not the same thing as 40,000+ students having a voice on the airwaves. I urge you to change your rules to accomodate these disenfranchised.

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